

INSTRUCTIONS & CHECKLIST PACKET “B” -- JOINT DISSOLUTION (WITH CHILDREN)

I. STARTING THE DIVORCE PROCESS ---- “DISSOLUTION”:

There are LOTS of forms that will need to be completed. Take it step-by-step and it should make it easier for you. Every court document contains a “caption” on the top half of the first page which identifies the party completing the form and the case description. Fill out the caption on every form.

This packet is to be used when the parties can AGREE on child support issues, parenting plans, property settlement and distribution, and file the action TOGETHER.

STEP 1. -- Filling Out The Forms

- ☐ Form #14 Fill in every section. Both parties sign page 12 & 13 in two places in front of a notary public.
*** Please note: The Clerk of Court’s Office cannot notarize these documents. One can be found at banks, law offices, etc.
- ☐ Form #15 Complete and sign.
- ☐ Form # 16 Fill in every section. Both parties sign on pages 11 & 12 in front of a notary public. If you need assistance developing a parenting plan, consult Rule 33 of Local Rules of Practice, 21st Judicial District, which can be found via internet at: http://www.co.ravalli.mt.us/courts/court_dist_judge_rules.htm
- ☐ Form #17a & b Wife and Husband each need to complete the form before completing Form #19 and provide each other with a copy.
- ☐ Form 18 Complete and sign.
- ☐ Form #19 After reviewing Forms 17a & 17b, fill in every section. Both parties sign on page 7 in front of a notary public.

STEP 2. -- Making Copies

- ☐ Make 2 copies of Form 14 (Petition)
- ☐ Make 2 copies of Documents #15-19. One copy will be for your own personal records, the other for your spouse.

STEP 3. -- Filing Case With Clerk of Court.

- ☐ Bring the originals and two copies of every form filled out in Step 1 to the Clerk of District Court’s Office for filing. The Clerk will assign a cause number and department number to identify your case with the Court.
- ☐ \$200.00 Fee -- cash/money order/personal check (subject to change). If you cannot afford the fee, ask the Clerk for the form “Affidavit of Financial Indigence.” If the Judge approves your indigence status, your fees will be waived.
- ☐ The Clerk will file stamp all your documents (copies and originals). The Clerk will keep the originals and give you the copies.

II. CHILD SUPPORT:

- ☐ If you have minor children, you **MUST** complete Steps 5, 6, 7 & 8 (whether or not you are receiving public assistance).
- ☐ If you need help with the computation of child support payments, check the following website for more information and an application: <http://www.dphhs.state.mt.us/aboutus/divisions/childsupportenforcement/index.shtml>
OR - an application packet may be purchased at the Clerk of District Court's office.

STEP 4. -- Completing Child Support (CSED) Paperwork.

- ☐ Form #20 Complete and sign on pages 2 & 3.
- ☐ Form #21 Complete caption only.
- ☐ Form #22 Complete caption only.
- ☐ Form #23 Fill in date and sign letter to CSED.

STEP 5. -- Making Copies.

- ☐ Make 3 copies of Form #20.
- ☐ Make 2 copies of Form #21, 22 & 23.
- ☐ Set aside one copy to keep for yourself.

STEP 6. -- Mailing CSED Paperwork.

- | | | | |
|--------------------------|--|------------------|---|
| <input type="checkbox"/> | Mail the following to CSED:
Form #21, 22, & 23 -- Originals
Form #20 -- Copy | Mailing Address: | Montana D.P.H.H.S.
Child Support Enforcement Division
2675 Palmer Street - Suite C
Missoula MT 59808 |
| <input type="checkbox"/> | Mail (or give) copies of Form #20-23 to your spouse. | | |
| <input type="checkbox"/> | File original of Form #20 with the Clerk of Court. | | |

STEP 7. -- CSED's Involvement.

- ☐ CSED will either decline to be involved, or you will be contacted by them for more information.

III. FINAL PAPERWORK:

STEP 8. -- More Paperwork !!! (You're almost done!)

- ☐ Form #24 Complete caption only.
- ☐ Form #25 Complete - do not sign. The Judge will sign at the hearing.
- ☐ Form #26 Complete caption - do not sign.
- ☐ Form #27 Complete those sections you can. After the hearing you will be expected to **fully** complete the form.
- ☐ Form #28 Complete caption only.
- ☐ Form #29 Complete caption only.

- ☐ Make 1 copy of Forms #24-29 for your records and 1 copy for your spouse.
- ☐ Make 2 extra copies of Form #25.
- ☐ Deliver the original of these forms and the 2 copies of Form #25 to the Clerk of Court, **with Form #28 on top**. If the paperwork is not in order, the Court's Reviewer will be in contact with you.

- ☐ You will be notified of the hearing date for the final decree of dissolution.

IV. HEARING IN COURT:

You have chosen to represent yourself. Arrive at the courthouse early. While divorce can be very difficult and emotional, the Court expects the parties to be civil and remain focused on the legal issues. You have reached an agreement with your spouse and he/she has signed the Marital and Property Settlement Agreement wherein he/she consented to the entry of the final decree (Document #19, page 7). Both parties can attend the hearing on the final decree, but it is NOT NECESSARY that your spouse attend. You should be prepared to be sworn in, take the witness stand, and answer any questions asked of you by the Judge.

VII. AFTER THE HEARING:

STEP 9. -- Final Paperwork.

- ☐ After the hearing, you must file Form 27 with the Clerk of Court.
- ☐ A filing fee of \$45 (subject to change) must be paid to the Clerk of Court before the Final Decree is filed.
- ☐ Copies of the Final Decree will be available at the Clerk of Court's office. The Clerk's office charges \$10 per copy. However, you have already supplied two extra copies of the Final Decree (Form #25). The Clerk's office will conform these copies with the original without any cost. The Clerk should then certify the two copies. The cost for certification is \$2.00 each.
- ☐ Form #26 If you were the only one to attend the hearing on the final decree, then complete Form #26, sign, and mail a copy to your spouse, together with one copy of the Final Decree (Form #25) signed by the Judge. File original Form #26 with the Clerk of Court.

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